Apr-04-03 01:47pm

From-LAHIVE & COCKFIELD, LLP

6177424214

T-235 P.01

F-479

LAHIVE COCKFIELD

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
1c@lative.com

JOHNA LANNE, JR (1828-1997) THOMAS V SALIRZYNSKI RALPH A LOREN GIULIO A DICONTI, JR. ANN LAMPORT HAMMITTE ELIZABETH A. HANLEY AMY BAKER MANDRAGOURAS ANTHONY A LAURENTANO KEVIN J CANNING JANEE REMILLARD DOANN FORAN SMITH PETER C. LAURO DEBRA J MILASINOIC, PA.D. DAVID J RUKKERS DAVID R BURNS JOHN 5. CURRAN SEAN D DETWEILER

MEGAN E WILLIAMS, Ph D

LISA M DAROCCO
HATHAWAY P RUSSELL*
MARIA LACOUTRIPE ZACHARANIS, PHID
VINCENT P LOCOSANO
MERIDETHI C. ARNOLD
DANELLE L. HERRITT
EUMOON LEE **

SENIOR COUNSEL JAMES E COCKFIELD

OF COUNSEL
SEREMAN LYNCH
WILLIAM A. SCORPLD, JR.
SIBLEY P. REPPERT
SEANNE M. DISCORGIO
CYNTHIAL MANN. Ph.O.

PATENT AGENTS
THEODORE R. WEST
SHAVNEY MUFF, Ph.D.
CYNTHIA M. SORDOS
PETER W. DINI, Ph.D.
JONATHAN M. SPARCS, Ph.D.
JONATHAN M. SPARCS, Ph.D.

TECHNICAL SPECIALISTS
CATHERINE & BISHOP
LACOB G WEINTRALB
CRISTIN E MONAEY, Pr. D
BLL ANN WELLO, Ph. D

Асплючения ТХ опку
 → Асплитес вз СТ окбу

Facsimile Cover Sheet, RECEIVED

To: Examiner R. Covington

APR 7 2003

Company: Group Art Unit 1625

GROUP 1600

Location: USPTO

Phone: 703-308-4704 Fax: 703-872-9306

From: Elizabeth A. Hanley, Esq.

Return to: Cynthia M. Soroos

Case No: U.S.S.N. 09/687575 (AVZ-007CP3)

Phone: (617) 227-7400 Fax: (617) 742-4214

Date: April 4, 2003

Pages: C5

(including cover page)

PLEASE ENTER AND DELIVER TO EXAMINER R. Covington

The documents transmitted by this facsimile are intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of the message is not the microded recipient, or the employee or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to us at the above address via the U.S. Postal Service. Thank you.

T-235 P.02

F-479

In re the application of Rima Kaddurah-Daouk and M. Flint Beal

Case Docket No. AVZ-007CP3

Serial No.

09/687,575

Filed:

October 13, 2000

For:

Compositions Containing a Combination of a Creatine Compound and a

Second Agent

COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Sir:

Transmitted herewith for filing in connection with the above-identified application are the following:

- ☑ Supplementary Amendment (63 pages)
- □ Acknowledgement postcard

The fee has been calculated as shown below:

| (Col. 1) CLAIMS REMAINING AFTER AMENDMENT | | | | (Cul 2) HIGHEST NO PREVIOUSLY FAID FOR | | (Col. 3) PRESENT EXTRA | |
|---|---|----|-------|---|----|-------------------------|----|
| TOTAL | - | 90 | MINUS | •• | 63 | | 27 |
| INDEP | - | 6 | MINUS | ••• | 6 | L | 0 |

| SMALL ENTITY | | | | | |
|---------------------|---------------|--|--|--|--|
| RATE | ADDIT. FÉE | | | | |
| A 9 = | \$ 243 00 | | | | |
| A 42 = | \$000 | | | | |
| +140= | \$ 00 | | | | |
| TOTAL ADDIT. FEE | \$243 00 | | | | |

OTHER THAN A SMALL ENTITY

RATE FSE

A 18 = \$ 00

A 84 = \$ 00

+ 280 = \$ 00

TOTAL \$0.00

If the entry in Col 1 is less than the entry in Col 2, write "0" in Col 3

** If the "Highest Number Previously Paul For" IN THIS SPACE is less than 20, write "20" in this space

If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Co. 1 of a prior amendment or the number of claims originally filed.

- Applicants' agent authorizes payment of \$243.00 from Deposit Account No. 12-0080 for presentation of extra claims.
- Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed. Applicants request any extensions of time necessary to respond.

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being facsimile transmitted to the Commissioner for Patents, Washington, DC 2023 I on:

April 12003

Date

Signature of Person Fazing

LAHIVE & COCKFIELD, LLP Anomers & Law-

OR

OR

By Cynthia M. Soroos
Per No. 53.623

Reg. No. 53,623 28 State Street

Boston, MA 02109 (617) 227-7400

Telecopier (617) 742-4214

6177424214

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Rima Kaddurah-Daouk and

M. Flint Beal

Serial No.: 09/687,575

Filed: October 13, 2000

For: Compositions Containing a Combination of a

Creatine Compound and a Second Agent

Attorney Docket No.: AVZ-007CP3

Commissioner for Patents Washington, D.C. 20231

Group Art Unit: 1625

Examiner: R. Covington

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents,

Washington, D.C. 20231 on the date set forth below.

April 4, 2003

Date of Signature and of Faxing

By:

Cyntina M. Soroos, Reg/No. 53,623

Agent for Applicants

SUPPLEMENTARY AMENDMENT

Dear Sir:

This is in response to the Office Action mailed from the U.S. Patent and Trademark Office on July 29, 2002 (Paper No. 9) and the personal interview between Examiner Covington and Elizabeth Hanley on February 4, 2003. Please amend the application as follows:

In the claims:

Please cancel claims 5, 9, 19-33 and 40-63.

Please amend claims 1, 6 and 34 as follows:

C 4 A method of increasing ATP production of a subject, comprising [Amended] administering to said subject an effective amount of a creatine compound and an ATP